

NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION LAWSUITS

ATTENTION: All persons with mobility and/or vision disabilities who have visited or will visit park sites owned and/or maintained by the Golden Gate National Recreational Area (“GGNRA”) or GGNRA concessioners. This notice describes a proposed settlement concerning access to GGNRA park sites. GGNRA park sites include Alcatraz, Crissy Field, portions of the Presidio, Muir Beach, Muir Woods, Ocean Beach, Tennessee Valley, Marin Headlands, Sutro Baths, Lands End, and Fort Point, among others park sites in San Francisco, Marin, and San Mateo Counties. A full list of GGNRA park sites can be found at <http://www.nps.gov/goga/planyourvisit/places.htm>.

PLEASE READ THIS NOTICE CAREFULLY. YOUR RIGHTS MAY BE AFFECTED.

NOTICE OF CLASS ACTION

The purpose of this notice is to inform you of the proposed settlement in two class action lawsuits brought on behalf of people with mobility and/or vision disabilities. The class action settlement (the “Settlement Agreement”), which must be approved by the Court, was reached in connection with *Gray, et al. v. Golden Gate National Recreation Area, et al.*, Case No. 3:08-cv-00722-EDL (N.D. Cal.) (“*Gray I*”) and *Gray, et al. v. Golden Gate National Recreation Area, et al.* Case No. 3:14-cv-00511-EDL (N.D. Cal.) (“*Gray II*”). The lawsuits, filed in 2008 and 2014 respectively, allege that Defendants GGNRA and National Park Service have discriminated against persons with mobility and/or vision disabilities by denying them access to the programs, services, and activities at park sites throughout GGNRA that are owned or maintained by GGNRA and/or its concessioners. The Defendants deny any liability or wrongdoing.

DEFINITION OF THE CLASS

The settlement class consists of all persons with mobility and/or vision disabilities who have visited or will visit park sites owned and/or maintained by the Golden Gate National Recreation Area or its concessioners. For purposes of this settlement, persons with mobility disabilities include individuals who use wheelchairs, scooters, crutches, walkers, canes, or

similar devices to assist their navigation. Persons with vision disabilities include individuals who due to a vision impairment use canes or service animals for navigation or individuals who require low vision accommodations.

SUMMARY OF THE PROPOSED SETTLEMENT AGREEMENT

The Settlement Agreement, a complete version of which can be found at www.dralegal.org and www.nps.gov/goga, provides that the Defendants will make substantial access enhancements at many locations throughout GGNRA over a seven-year period for persons with mobility and vision impairments. The Settlement Agreement also includes an agreement to adopt and implement a number of park-wide written procedures addressing accessibility in GGNRA's programs and activities. With the exception of concessioners, park partners that operate programs and facilities at park sites within GGNRA are not covered by the Settlement Agreement and any release of claims agreed to in the Settlement Agreement does not apply to park partner programs and activities.

Specifically, the Settlement Agreement provides for two categories of access enhancement projects at GGNRA park sites. The first involves a list of specific projects, each of which will be completed within the seven-year term covered by the Settlement Agreement. Examples of projects in this category include improvements to trail accessibility for wheelchair users at multiple park locations, improved beach access for wheelchair users and persons with vision impairments, tactile models and audio descriptions of certain exhibits, and the increased availability of park publications in alternate, accessible formats for persons with vision impairments. The specified list of projects in this group will be required to be implemented regardless of cost except if certain unanticipated events occur: for example, if a particular project cost exceeds 25% of the currently anticipated cost for such project, an equivalent access project may be substituted. Please note that the Settlement does not provide for accessibility enhancements at every facility and does not provide that every publication will be made available in an alternate format.

The second category of projects involves another list of accessibility improvements. Defendants are required to spend at least \$3 million towards the projects on the second list.

GGNRA will also formally adopt and implement a number of park procedures. Examples include developing written procedures for making accessibility training available to employees, interpretative rangers, and volunteers and for conducting accessibility reviews of new construction and major renovation projects, new exhibits, and new standard operating procedures that affect visitor accessibility. Defendants are further required to spend at least \$350,000 over the seven-year term of the Settlement Agreement to maintain the accessibility features that either exist at GGNRA or that Defendants have completed as part of the settlement.

The Settlement Agreement additionally provides for payment of attorneys' fees and costs to Disability Rights Advocates ("Class Counsel"), the attorneys who represent the class. Defendants have agreed to pay Class Counsel a total of \$3,430,000 for all fees and costs Class Counsel have incurred since work began on the case in 2006 and for future work in monitoring compliance with the settlement. Class Counsel will allocate \$250,000 of this payment to future monitoring work.

RESOLUTION AND RELEASE OF CLAIMS

The Settlement Agreement resolves all program access discrimination claims against Defendants GGNRA and the National Park Service at existing GGNRA park sites. All class members will be bound by the terms of the settlement if it is approved by the Court. Under the proposed settlement, Class Members will release and forever discharge all claims and all rights to bring such claims against Defendants that involve, arise from, or relate to allegations that persons with mobility and/or vision disabilities have been denied access to, excluded from participation in, denied the benefits of, subjected to discrimination in connection with, or denied an accommodation or modification in connection with (1) existing GGNRA park sites, programs, activities, facilities, buildings, services, operations, policies, practices, or procedures, or (2) an alleged lack of policies, procedures, or practices at GGNRA.

Class Members retain whatever rights they may have to bring claims against Defendants relating to technical access barriers on GGNRA's website, or to access barriers or deficiencies that come into existence at GGNRA after the seven-year settlement period. Class Members also retain whatever rights they may have to bring monetary claims involving physical injuries.

OBJECTIONS TO THE SETTLEMENT AGREEMENT

You have the right to object to the terms of this settlement by filing a written, signed objection with the Court no later than June 9, 2014. You also have the right to appear at a hearing, which will address the fairness of the settlement agreement to the class. That hearing is scheduled for July 8, 2014 at 9:30 a.m. in the Courtroom of the Honorable Elizabeth Laporte, United States Magistrate Judge, 450 Golden Gate Avenue, 15th Floor, San Francisco, CA 94102. Please note that, in order to be heard at the fairness hearing, you must include notice of your intent to appear at the hearing with your written objection.

Written objections must be filed with the Clerk of the United States District Court for the Northern District of California at the following address:

Clerk of the United States District Court
Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102-3483
Specifying: *Gray v. Golden Gate National Recreation Area*, Case No. 3:14-cv-00511-EDL

Objections may be filed in person or may be mailed to the Court at the above address but must be actually received by the Court by the deadline set forth above to be considered.

Copies of objections must also be mailed or delivered to counsel for the Parties:

Christine Chuang, Esq.
Disability Rights Advocates
2001 Center Street, Third Floor
Berkeley, CA 94704-1204
(Counsel for Named Plaintiffs & Settlement Class)

Brian Kennedy, Esq.
United States Department of Justice, Civil Division
Federal Programs Branch
P.O. Box 883
Washington, DC 20044
(Counsel for Defendants GGNRA and National Park Service)

FURTHER INFORMATION

More detailed information concerning the Settlement Agreement or a copy of the Settlement Agreement may be obtained from Class Counsel:

Christine Chuang
Disability Rights Advocates
2001 Center Street, Third Floor
Berkeley, CA 94704-1204
(510) 665-8644 (voice)
(510) 665-8716 (TTY)
(510) 665-8511 (FAX)

A copy of the complete Settlement Agreement is also available as a link on the GGNRA accessibility webpage, which can be found at <http://www.nps.gov/goga/planyourvisit/accessibility.htm>, and as a link on Class Counsel's website, which can be found at <http://www.dralegal.org/>.

To obtain copies of this Notice in alternate accessible formats, please contact Class Counsel listed above.